

In the United States Patent and Trademark Office

Applicants:	M.T. Cammarota, et al.	Docket	14966.1
Serial No.:	Unknown	Group:	Unknown
Filed:	Herewith	Examiner:	Unknown
For:	Absorbent Articles Having Wetness Indicating Graphics Incorporating A Training Zone	Date:	8/13/01

Preliminary Amendment

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.111, it is respectfully requested that the Examiner preliminarily amend the specification and claims of the instant application as indicated below.

In the Claims

Please cancel claims 25, 27-29, 32-37 and 41-42 without prejudice to or disclaimer of the subject matter claimed thereby.

Please amend claim 23 as follows:

23. (once amended) The absorbent article of claim 1, 2 or 3, wherein the active object graphic comprises an appearing graphic that becomes significantly more visible when exposed to [the] an environment during use and prior to contact with urine.

Remarks

Claims 1-24, 26, 30, 31 and 38-40 are presented for the Examiner's consideration. Claim 23 has been amended for reasons concerning antecedent basis. A **Clean Version Of Pending Claims** resulting from this Amendment is enclosed and made a part hereof. Pursuant to 37 C.F.R. § 1.111, reconsideration of the present application in view of the foregoing amendments and the following remarks is respectfully requested.

Claim 1 was rejected in the parent application based on U.S. Patent 4,022,211 issued May 10, 1977 to Timmons et al. ("Timmons"). The Examiner noted that Timmons discloses "a permanent graphic (blocks, 22)." Paper Number 6, page 4. Claim 1, however, recites a "permanent character graphic," which is defined in the present specification beginning at page 6, line 10. The role and significance of the character graphic in the toilet training process is discussed in the specification

beginning at pg. 6, line 23. Applicants submit that Timmons does not disclose a "permanent character graphic."

Claims 1-10 and 13-19 were rejected in the parent application based on U.S. Patent 5,766,389 issued June 16, 1998 to Brandon et al. ("Brandon"). The Examiner noted that Brandon discloses an active object, referencing the "sun" which "rises and sets and therefore is considered to be active." Paper Number 6, page 5. The term "active graphic" is defined in the present specification beginning at page 3, line 16, and concerns appearing and/or fading graphics that become more or less visible due to exposure to urine or the environment. Applicants submit that Brandon does not disclose an "active" graphic.

Claims 1-20, 24, 30-31, 38-39 and 41 were rejected in the parent application over Brandon in view of Timmons. The Examiner posited that it "would have been obvious to one of ordinary skill in the art to add the wetness indicators of Timmons to the training pants of Brandon in order to provide a visual signal that the pad is wetted and assist in determining if a fresh pad is needed." Paper Number 6, page 7. Applicants recognize the potential desirability of wetness indicators, however, Applicants are unable to identify any suggestion within the cited references to combine the different and distinct graphics from multiple references into a single, unified product. If anything, Applicants submit that the hypothetical skilled person would be inclined to replace the graphics of Brandon with the graphics of Timmons. It is only with resort to the present application that the skilled person would derive the present combination of elements.

Claims 1-3, 22 and 26 were rejected in the parent application over Brandon in view of U.S. Patent 5,766,212 issued June 16, 1998 to Jitoe et al. ("Jitoe"). The Examiner posited that it "would have been obvious to one of ordinary skill in the art to add the wetness indicators of Jitoe to the training pants of Brandon in order for a mother to be reliably informed of a timing of a diaper exchange." Paper Number 6, page 10. Similar to the discussion of Timmons above, Applicants recognize the potential desirability of wetness indicators. Nonetheless, Applicants are unable to identify any suggestion within the cited references to combine the different and distinct graphics from multiple references into a single, unified product. Applicants submit that the hypothetical skilled person would be inclined to replace the graphics of Brandon with the graphics of Timmons, and it is only based on reference to the present application that the skilled person would derive the present combination of elements.

In view of the above remarks, it is respectfully submitted that claims 1-24, 26, 30, 31 and 38-40 define patentable subject matter.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (920) 721-3617.

Respectfully submitted,

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CERTIFICATE OF EXPRESS MAILING

I, Mary L. Roberts, hereby certify that on August 13, 2001 this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above with an "Express Mail" Mailing Label Number of EF210594009US and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: Mary L. Roberts
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Clean Version of Claims

1. An absorbent article comprising:
 - an outer cover having an interior surface and an opposite exterior surface;
 - an absorbent assembly disposed on the interior surface;
 - a permanent character graphic disposed on the outer cover; and
 - an active object graphic disposed on the outer cover, the permanent character graphic and the active object graphic being unrelated in subject matter.
2. An absorbent article comprising:
 - an outer cover having an interior surface and an opposite exterior surface;
 - an absorbent assembly disposed on the interior surface;
 - a permanent character graphic disposed on the outer cover, the permanent character graphic illustrated performing an activity or action; and
 - an active object graphic disposed on the outer cover, the permanent character graphic being interactively unrelated to the active object graphic.
3. An absorbent article comprising:
 - an outer cover having an interior surface and an opposite exterior surface;
 - an absorbent assembly disposed on the interior surface;
 - a permanent character graphic disposed on the outer cover;
 - an active object graphic disposed on the outer cover; and
 - a visual segmentation element disposed between the permanent character graphic and the active object graphic.
4. The absorbent article of claim 1, 2 or 3, further comprising a permanent object graphic.
5. The absorbent article of claim 4, wherein the permanent character graphic is illustrated to be involved in an activity or action utilizing the permanent object graphic.
6. The absorbent article of claim 4, wherein the active object graphic is not related in subject matter to the permanent object graphic.
7. The absorbent article of claim 4, wherein the active object graphic is interactively unrelated to the permanent object graphic.

8. The absorbent article of claim 1, 2 or 3, further comprising at least one visual segmentation element disposed on the outer cover and comprising a segmentation graphic that at least partially surrounds the permanent character graphic.
9. The absorbent article of claim 8, wherein the segmentation graphic completely surrounds the permanent character graphic.
10. The absorbent article of claim 8, further comprising a permanent object graphic that is interactively interrelated with the permanent character graphic, wherein the segmentation graphic at least partially surrounds both the permanent character graphic and the permanent object graphic.
11. The absorbent article of claim 1, 2 or 3, further comprising at least one visual segmentation element disposed on the outer cover and comprising a segmentation graphic that at least partially surrounds the active object graphic.
12. The absorbent article of claim 11, wherein the segmentation graphic completely surrounds the active object graphic.
13. The absorbent article of claim 1, 2 or 3, further comprising at least one visual segmentation element disposed on the outer cover and comprising a segmentation graphic formed of a substantially continuous line segment.
14. The absorbent article of claim 13, wherein the line segment is curved.
15. The absorbent article of claim 13, wherein the line segment is generally perpendicular to an imaginary line connecting the permanent character graphic and the active object graphic.
16. The absorbent article of claim 1, 2 or 3, further comprising at least one visual segmentation element disposed on the outer cover and comprising a background color graphic.
17. The absorbent article of claim 16, wherein the visual segmentation element further comprises a segmentation graphic that at least partially surrounds the permanent character graphic.
18. The absorbent article of claim 16, wherein the visual segmentation element further comprises a segmentation graphic formed of a substantially continuous line segment that is generally perpendicular to an imaginary line connecting the permanent character graphic and the active object graphic.

19. The absorbent article of claim 1, 2 or 3, further comprising at least one visual segmentation element disposed on the outer cover and comprising a defined floor graphic, the permanent character graphic being illustrated positioned on the defined floor graphic.
20. The absorbent article of claim 1, 2 or 3, wherein the active object graphic is in liquid communication with the absorbent assembly and comprises an ink that is soluble in urine.
21. The absorbent article of claim 1, 2 or 3, wherein the active object graphic is in liquid communication with the absorbent assembly and comprises an ink that changes color when exposed to urine.
22. The absorbent article of claim 1, 2 or 3, wherein the active object graphic is in liquid communication with the absorbent assembly and comprises an appearing graphic that becomes significantly more visible when exposed to urine.
23. (once amended) The absorbent article of claim 1, 2 or 3, wherein the active object graphic comprises an appearing graphic that becomes significantly more visible when exposed to an environment during use and prior to contact with urine.
24. The absorbent article of claim 1, 2 or 3, wherein the permanent character graphic is disposed on the exterior surface of the outer cover and the active object graphic is disposed on the interior surface of the outer cover.
25. (canceled)
26. The absorbent article of claim 1, 2 or 3, wherein the active object graphic is disposed on a surface of the absorbent assembly that faces the outer cover.
27. (canceled)
28. (canceled)
29. (canceled)

30. The absorbent article of claim 1, 2 or 3, wherein the absorbent article defines a longitudinal centerline, a transverse centerline, opposite first and second longitudinal end edges, first and second waist regions abutting the respective first and second longitudinal end edges, and a crotch region disposed between and interconnecting the first and second waist regions, the permanent character graphic being disposed in the first waist region and the active object graphic being disposed in the crotch region.

31. The absorbent article of claim 30, wherein the active object graphic is longitudinally disposed between the permanent character graphic and the transverse centerline.

32. (canceled)

33. (canceled)

34. (canceled)

35. (canceled)

36. (canceled)

37. (canceled)

38. A disposable training pant defining a longitudinal centerline, a transverse centerline, opposite first and second longitudinal end edges, first and second waist regions abutting the respective first and second longitudinal end edges, and a crotch region disposed between and interconnecting the first and second waist regions, the absorbent article comprising:

- an outer cover having an interior surface and an opposite exterior surface;
- an absorbent assembly disposed on the interior surface;
- a permanent character graphic disposed on the outer cover in the first waist region;
- a permanent object graphic disposed on the outer cover in the first waist region, the permanent character graphic illustrated to be involved in an activity or action utilizing the permanent object graphic;
- an active object graphic disposed on the outer cover in the crotch region and in liquid communication with the absorbent assembly, both the permanent character graphic and the permanent object graphic being unrelated in subject matter to the active object graphic, and the permanent character graphic being interactively unrelated to the active object graphic; and
- a visual segmentation element disposed between the permanent character graphic and the active object graphic

39. The absorbent article of claim 38, wherein the active object graphic comprises an ink that is soluble in urine.

40. The absorbent article of claim 38, wherein the active object graphic comprises an ink that changes color when exposed to urine.

41. (canceled)

42. (canceled)